

03-14-05

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EV664641079US

Atty. Docket No.
005127.00033

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Daniel R. Potter et al.

Examiner: Andrew J. Rudy

U.S. Pat. App. No.: 10/099,685

Group Art Unit: 3627

Filed: March 14, 2002

For: CUSTOM FIT SALE OF FOOTWEAR

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully ask for reconsideration of both this application and the Office Action of September 8, 2004. A response to this Office Action was due by December 8, 2004. Applicants submitted a Notice of Appeal on January 10, 2005, together with a Petition for a one month extension of time. Accordingly, Applicants respectfully submit that this Request is timely filed.

Applicants gratefully acknowledge the personal interview granted by the Examiner on December 20, 2004. This Request is submitted in accordance with the substance of that interview.

In the outstanding Office Action, the Examiner rejected claims 10 and 11 under 35 U.S.C. §103 over U.S. Patent No. 5,515,268 to Yoda in view of U.S. Patent No. 5,714,098 to Potter et al., and in further view of U.S. Patent No. 5,783,810 to Kelly, Jr. Claims 12-14 were then